

## IN THE SPECIFICATION

Please replace Paragraph [0068] with the following amended Paragraph [0068] as follows:

[0068] System 850 of FIG. 8b depicts procedure 700 in a system block diagram. Sector j signal level 852 and current serving sector signal level 854 provide input to signal level estimator 856. Signal level estimates 858 and RPC bits of active sectors 862 provide input to RPC filter 860. If the mean RPC exceeds a threshold, then a deduction is applied to the variable rate signal level as per step 706 of procedure 700. Otherwise, no deduction is applied. RPC filter 860 supplies adjusted signal levels 864 to comparator 866 and ~~new sector identifier module~~ best sector identifier 874. Comparator 866 determines differences 868, DiffVV, DiffFV, DiffVF, and DiffFF as per procedure 300. Differences 868 are provided as input to accumulator 870. Accumulator 870 applies a hysteresis during accumulation as per procedure 400. Accumulator 870 provides accumulated total credits 872, DeltaCreditVV, DeltaCreditVF, DeltaCreditFV, and DeltaCreditFF to ~~new sector identification module~~ best sector identifier 874. ~~New sector identifier module~~ Best sector identifier 874 selects the sector with the highest soft key among a pool of candidate sectors as per operation of procedure 600. Best sector identifier 874 provides outputs best serving sector 876 and transmission mode 878. Transmission mode 878 identifies the new serving sector transmission mode as fixed rate or variable rate.